

Disability Rights Nebraska

Protection and Advocacy for People with Disabilities

Individualized Family Service Plan (IFSP)

What is an Individualized Family Service Plan (IFSP)?

An IFSP is a written plan for providing early intervention services to children with disabilities, age birth through the school year in which the child reaches age 3.¹ Early intervention services are intended to meet the developmental needs of children with disabilities and the needs of their families.² These services may include access to educational, medical, and social resources and are provided at no cost to families.³

How do you request services for your child?

First, your child must be referred to the agency responsible for providing services in your Planning Region.⁴ Anyone, including a parent or guardian, can make the referral.

An individual can make a referral by:

- Contacting Nebraska Child Find at 1-888-806-6287; or
- Contacting their local planning region team which can be found by visiting <https://edn.ne.gov/cms/make-a-referral>.⁵

Additionally, a referral may be made to any public school or other public agency. The school district or approved cooperative must then pass on the referral within seven days of becoming aware of a child's eligibility for services.⁶

What happens after the referral is made?

After the referral is made, a Service Coordinator will be assigned to your child and family. The service coordinator has seven (7) calendar days to contact you. The service coordinator will contact you to:

- Give you information about the System of Early Development Network services;
- Offer referrals for immediate needs you may have;
- Determine if you are interested in continuing the IFSP process;
- Identify your daily routines, activities, and support;
- Begin the evaluation process of determining whether your child is eligible for special education service; and

¹ 92 Neb. Admin. Code, Ch.51, §003.33 (2017)

² 92 Neb. Admin. Code, Ch.52, §003.06A4 (2014)

³ See, IFSPWEB, Benefits for Families, <https://www.ifspweb.org/module1/benefits.php>; 92 Neb. Admin. Code, Ch.52, §007.04C (2014)

⁴ 92 Neb. Admin. Code, Ch. 52, §006.01D1 (2014)

⁵ See, Nebraska Early Development Network, Make a Referral, <https://edn.ne.gov/cms/make-a-referral>

⁶ 92 Neb. Admin. Code, Ch. 52, §006.01D1 (2014)

- Ask information in order to address your concerns and questions about your child's health and development.⁷

A school district **may** then choose to conduct an initial screening to identify whether your child is suspected of having a disability before moving forward with additional evaluations.⁸ Parents **must** be notified and informed of their right to request an additional evaluation at any time during this initial screening.⁹ Parents have the right to request this additional evaluation regardless of the outcome of the initial screening.¹⁰ If the child is suspected of having a disability after the screening or if a parent requests additional evaluations, a **multidisciplinary** evaluation will be conducted to assess whether the child qualifies for early intervention services.¹¹ This evaluation will also be conducted if no initial screening occurs.¹² **Multidisciplinary** means “the involvement of two or more separate disciplines or professions and, with respect to evaluation of the child... may include one individual who is qualified in more than one discipline or profession.”¹³

If your child is found to have a disability after the multidisciplinary **evaluation**, a multidisciplinary **assessment** must be conducted.¹⁴ The purpose of this assessment is to determine the unique strengths and needs of your child and to identify what services are appropriate to meet those needs.¹⁵ The multidisciplinary evaluation and assessment must be conducted in a nondiscriminatory manner and, unless clearly not feasible, must be conducted in the child’s native language.¹⁶

After the evaluation and assessment is completed, the multidisciplinary team must prepare a written report of the results.¹⁷ Once the child is determined to be eligible for services, the parent and multidisciplinary team gather to develop the IFSP.¹⁸

School districts and approved cooperatives must complete any screenings and the initial evaluations and assessments after consent is obtained and within **45 days** of the initial referral.¹⁹ They must also participate in the initial IFSP meeting within this time frame.²⁰ However, there may be a delay if the parent or child is unavailable or if there is no parental consent.²¹

⁷ See, IFSPWEB, Services Coordination-Intake <https://www.ifspweb.org/module1/sc-intake.php>; 92 Neb. Admin. Code, Ch.52, §007.04C (2014)

⁸ 92 Neb. Admin. Code, Ch.52, §006.03 (2014)

⁹ 92 Neb. Admin. Code, Ch.52, §006.03A1 (2014); 92 Neb. Admin. Code, Ch.52, §006.03C (2014)

¹⁰ *Id.*

¹¹ 92 Neb. Admin. Code, Ch.52, §006.03B1 (2014); 92 Neb. Admin. Code, Ch.52, §006.03C (2014)

¹² 92 Neb. Admin. Code, Ch.52, §006.05A1 (2014)

¹³ 92 Neb. Admin. Code, Ch.52, §003.16 (2014)

¹⁴ 92 Neb. Admin. Code, Ch.52, §006.05A2 (2014)

¹⁵ *Id.*

¹⁶ 92 Neb. Admin. Code, Ch.52, §006.05C (2014)

¹⁷ 92 Neb. Admin. Code, Ch.52, §006.09A (2014)

¹⁸ 92 Neb. Admin. Code, Ch.52, §007.01 (2014)

¹⁹ 92 Neb. Admin. Code, Ch. 52, §006.02A (2014)

²⁰ *Id.*

²¹ 92 Neb. Admin. Code, Ch. 52, §006.02B (2014)

What must be in an IFSP?

An IFSP must be in writing and include the following sections:

- **Present levels of your child's abilities.** This includes several areas of development such as physical, cognitive, communication, social or emotional, and adaptive development.
- **Measurable results.** This includes developmentally appropriate timelines to guide your child's progress. It also includes how the school personnel will measure your child's progress toward annual goals.
- **A statement of your resources, priorities, and concerns relating to your child's development.** This includes things you feel are necessary to increase your child's progress.
- **A statement of the specific early intervention services.** This includes specifically listing all services to be given to your child including supplemental aids, such as assistive technology and services.
- **Dates and locations.** This includes when the services will begin, how often they will be provided, where they will be provided, and how long the services will continue.
- **A statement of the natural environments.** Early intervention services should be given to your child in a "natural environment." "Natural environment" means settings and activities that are typical for children without disabilities or developmental delays that are the same age as your child. If the services will not be given in your child's "natural environment," a statement must be included explaining the reason.
- **Service coordinator contact information.**
- **Transition services to preschool services.** These include services to help your child move from home to preschool programs.²²

Who participates in an IFSP meeting?

The IFSP Team includes:

- You, the parent(s);
- Other family members at your request;
- The service coordinator;
- An advocate or person outside the family at the parent's request;
- A representative of the school district who has the authority to commit district resources;
- A representative of any other agency that may be responsible for providing services to the child; and
- A member of the multidisciplinary team.²³

²² 480 Neb. Admin. Code, Ch.3, §008.06 (2014)

²³ 480 Neb. Admin. Code, Ch.3, §008.04 (2014)

What happens during an IFSP meeting?

Each IFSP meeting must be conducted in a setting and time that is convenient for your family and must be conducted in the native language, or primary mode of communication, of your family.²⁴ At the IFSP meeting, the IFSP Team will consider numerous factors when deciding which early intervention services your child needs. Once an IFSP is agreed upon, the contents of the IFSP must be fully explained to the parents.²⁵ The service coordinator will then draft the IFSP document and provide a copy to the parents.²⁶

What if I do not agree with the IFSP?

Parents have a right to decline any early intervention services recommended in the IFSP meeting.²⁷ If you disagree with an IFSP, you have two options. You can:

- Sign the IFSP, and make a note near your signature that you “do not agree with the IFSP,” or
- Choose not to sign the IFSP.

How often are IFSP meetings held?

An IFSP meeting must be held at least once a year.²⁸ The purpose of these annual meetings is to evaluate the IFSP, your child, your family, and to revise the IFSP, if necessary.²⁹

What is an IFSP Periodic Review?

An IFSP Periodic Review is a review of your child’s IFSP that must occur every six (6) months.³⁰ A periodic review can happen more often if the need arises or if you request a review. The purpose of the periodic review is to consider how much your child is progressing toward the IFSP goals and whether changes to the IFSP should be made.³¹

What parental rights do I have regarding the IFSP?

You have the right to:

- **Receive a procedural safeguards notice.** You have the right to receive a “procedural safeguards notice” from the school district which describes all the rights of a parent of a child with a disability. You may request the notice if the school district has not furnished one.³²

²⁴ 480 Neb. Admin. Code, Ch.3, §008.06 (2014)

²⁵ *Id.*

²⁶ *Id.*

²⁷ 92 Neb. Admin. Code, Ch.52, §009.03A(2014)

²⁸ 92 Neb. Admin. Code, Ch.52, §007.02C(2014)

²⁹ *Id.*

³⁰ 92 Neb. Admin. Code, Ch.52, §007.02B (2014)

³¹ *Id.*

³² 92 Neb. Admin. Code, Ch.52, §007.02C(2014)

- **Inspect and review education records.** You have the right to inspect and review any education records relating to your child within ten (10) days after you have requested the records.³³ It is best to make your request in writing.
- **Prior written notice.** You have the right to be notified within a reasonable time before a school district denies or decides to initiate or change an evaluation, placement, or services of your child.³⁴
- **Give informed parental consent.** You have the right to limit the initial placement of your child in early intervention services until you give your consent.³⁵
- **Participate in the IFSP meeting.** The school district should take steps to ensure that one or both parents are able to participate in and attend the IFSP meeting by giving adequate advance notice of the meeting as well as arranging the time and place with you.³⁶
- **A copy of the IFSP.** You have a right to receive a copy of your child's IFSP at no cost and within seven (7) days after the IFSP Team meeting.³⁷
- **Due Process Hearing.** You have the right to request a due process hearing (see "How to File a Due Process Petition with the Nebraska Department of Education" material).³⁸
- **File a complaint with the Nebraska Department of Education.** You have the right to file a complaint if the school district has violated the special education rules (see "How to File a Complaint with the Nebraska Department of Education" materials).³⁹

How do I request an IFSP Periodic Review?

You may want to request an IFSP Team meeting to discuss whether your child is making progress toward the IFSP and if any changes need to be made. It is a good idea to put all communications regarding your child's special education services between you and school administrators and staff in writing. Make sure to write down conversations and events that affect your child's schooling. Note the date, who was involved, what was said, and the resolution. You may want to create and maintain a file with all of your child's school information such as report cards, evaluation reports, and Individual Education Programs (IEPs).

All requests for evaluations or meetings should be made in writing to your child's school principal. You should keep a copy for your own records. Send your written request to the school via certified, return receipt requested mail. Attach the return receipt to your copy of the request and keep this in your file.

³³ 92 Neb. Admin. Code, Ch.52, §009.02B(2014)

³⁴ 92 Neb. Admin. Code, Ch.52, §009.3B1(2014)

³⁵ 92 Neb. Admin. Code, Ch.52, §009.03(2014)

³⁶ 92 Neb. Admin. Code, Ch.52, §009.03B1(2014)

³⁷ 92 Neb. Admin. Code, Ch.52, §009.02F3(2014)

³⁸ 92 Neb. Admin. Code, Ch.52, §009.07(2014)

³⁹ 92 Neb. Admin. Code, Ch.52, §009.06A(2014)

Additional resources:

- Multidisciplinary Team Evaluation. Disability Rights Nebraska (2006). Available at: https://www.disabilityrightsnebraska.org/file_download/inline/e6dd2f9b-e13b-4628-96a7-dd9e23ba5bcc
- Independent Educational Evaluation. Disability Rights Nebraska (2006). Available at: https://www.disabilityrightsnebraska.org/file_download/inline/251bb155-5176-4651-94b9-041fb046e835
- Individual Education Program. Disability Rights Nebraska (2006). Available at: https://www.disabilityrightsnebraska.org/file_download/f61612e2-ea66-4739-8c26-ef8ebe72abe9
- Filing a Complaint with the Nebraska Department of Education. Disability Rights Nebraska (2006). Available at: https://www.disabilityrightsnebraska.org/file_download/inline/b95ed38c-ae3d-4ac2-a26a-2c8e7fd981d6
- How to File a Due Process Petition with the Nebraska Department of Education, Disability Rights Nebraska (2006). Available at: https://www.disabilityrightsnebraska.org/file_download/inline/26854fa1-dc12-43ce-b7b2-254bf3cbce2f
- Nebraska Early Development Network.
Nebraska Department of Education
301 Centennial Mall South
Lincoln, Nebraska 68509
1-888-806-6287
<https://edn.ne.gov/cms/>.
- Parental Rights in Special Education. Nebraska Department of Education Special Populations Office (August 2007). Available at: http://dhhs.ne.gov/Behavioral%20Health%20Documents/Parental_Rights_in_Special_Education.pdf
- IFSP Web. Answers4Families. A Self-Paced Tutorial on Developing an Individualized Family Service Plan. Available at: <https://www.ifspweb.org/>

Sample Letter

You may wish to use similar language when requesting Individualized Family Service Plan (IFSP) Periodic Review for your child:

[Principal's Name]
[School's Name]
[School Address]
[City, State, Zip code]

Re: [Your child's name] – Request for an Individualized Family Service Plan Periodic Review

Dear [Principal's Name]:

Please consider this letter as a formal request for an Individualized Family Service Plan Periodic Review, [Your child's name]. It is my understanding that I have a right to obtain a periodic review pursuant to the provisions of 92 NAC 52-007.02B (Nebraska Department of Education, Rule 52).

I believe my child may have [suspected disability], and may therefore be entitled to receive early intervention services and assistance. If necessary, I would be happy to discuss my reasons with you in detail. I am willing to sign any authorization form necessary.

I appreciate your prompt attention to this request and ask that you respond in writing by [insert a date two (2) weeks from the time mailed]. Thank you.

Sincerely,

[Your Name]
[Your Address]
[Your City, State, Zip]
[Your Phone number]

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Individualized Family Service Plan Flowchart

Referral	The Service Coordinator is assigned and contacts you within seven (7) days.
Multidisciplinary Evaluation and Assessment	<p>After the Multidisciplinary evaluation, a report will be written that states: Whether your child qualifies as a “child with disability” and is eligible for free, appropriate early intervention services; the basis for that decision; and a list of the team members.</p> <p>The findings are shared with you and the services coordinator. If your child is found not to be eligible for services or you choose not to pursue services through this process, the services coordinator continues to give you referrals to other agencies according to your family's needs.</p> <p>If your child is found to be eligible for services, a Multidisciplinary assessment will be conducted to identify your child's unique needs.</p>
IFSP Team	IFSP Team Meeting. The IFSP Team meets with you and the service coordinator to complete the IFSP. You will need to give your consent in order for your child to receive the services discussed.
Services Begin	IFSP Periodic Reviews must be completed every six (6) months. They can be held more often if the need arises or if you request one. You may want to request a periodic review if there is a major change in your child's life.
IFSP Exit	Transition Services. Early intervention services are temporary. Before your child exits the IFSP process, transition services to preschool should be in place. Transition services should be listed in the IFSP and be completed at least ninety (90) days before your child's third birthday.